

U.S.-Mexico Border 2012 Air Policy Forum Meeting October 6-7, 2004

Camino Real Hotel
Av. Paseo de los Héroes
10305 Zona Río
22320 Tijuana, B.C. México

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NOTE

This meeting summary is a record of the Air Policy Forum Meeting which was held in Tijuana, Mexico on October 6-7, 2004. The purpose of this document is to accurately capture what transpired over the course of the meeting. This is not a decision document.

BACKGROUND

The US-Mexico Border 2012 Program is the third iteration of the implementation of the bi-national Agreement on Cooperation for the Protection and Improvement of the Environment and Transboundary Problems, also known as the La Paz Agreement.

The international offices of the US Environmental Protection Agency (EPA) and the Mexican Secretaria de Medio Ambiente y Recursos Naturales (SEMARNAT) are joined by US Health and Human Services and the Mexican Secretaria de Salud in this more local and bottom-up approach to the environmental, ecological and human health issues in the burgeoning border region.

The ten year Border 2012 Program is organized into local task forces, state-to-state work groups, border-wide work groups, and media-specific, priority driven policy forums that provide technical assistance on broad policy issues. This is the first meeting dedicated solely to the Air Policy Forum (APF).

MEETING OBJECTIVES

- Identify cross-cutting policy and program priorities that require federal attention and that the Air Policy Forum could be instrumental in advancing.
- Highlight the work of regional work groups and task forces.
- Build working relationships among Air Policy Forum partners and participating stakeholders.
- Discuss and improve upon the planning and coordination of Border 2012.

STRUCTURE OF MEETING

On October 6-7 2004, the Air Policy Forum met in Tijuana, Mexico. Air Policy Forum members and partners were seated at the table (Border 2012 regional and local coordinating bodies, including EPA and SEMARNAT regional offices, States and Task Forces, Tribal Nations, APF and EHWG Co-Chairs, and others), and were flanked on both sides by chairs held for the public. Simultaneous translation was provided throughout the meeting, in both roundtable and breakout sessions. *Please see attached agenda, Appendix #1.*

Ground Rules

The facilitator proposed the following ground rules: listening; openness; respect; fairness; commitment and agreements in principle. These were each explained to and accepted by the group. Conversation in the roundtable sessions was limited to those

seated at the table. For those members of the public attending, it was proposed (and accepted) that a public comment sign-up sheet would be circulated at the start of each day, so that time could be equitably allocated.

Decision-Making

Co-Chairs John Beale, USEPA, and Sergio Sánchez, SEMARNAT, emphasized that there would be a decision making path for the APF policy/program decisions. This meeting was the first of three opportunities current and future participants would have to generate and refine recommendations to the APF. The goals for this meeting were therefore aimed at generating broad agreement, with the hope of refining those agreements into consensus recommendations over the course of the next six months.

OPENING REMARKS AND DATA PRESENTATION

APF Co-Chairs Sergio Sánchez and John Beale welcomed participants to this first border-wide dialogue on air quality. Both speakers remarked upon the importance of collaboration on the issues laid out before the group, as well as their gratitude for the work that has been done to date and the excellent turnout for this meeting. Also noted was the experimental nature of this meeting as one of the first border wide, media-specific meetings under Border 2012, and the use of a facilitation team. These remarks and presentations set the stage for the meeting—to have intergovernmental, private sector and non governmental organization dialogue on key issues pertaining to air quality along the border.

Opening remarks were followed by a series of presentations that established a baseline understanding of both the history of efforts addressing and issues pertaining to border wide air quality. Presentations included:

Border 2012 Fundamentals. Presenter: Carlos de la Parra, SEMARNAT representative, Embassy of Mexico in Washington D.C. Background/history on the Border 2012 program.

Setting the Stage: US-Mexico Border Current and Emergent Air Quality Issues. Presenter: Bob Currey, Center for Environmental Resource Management, University of Texas at El Paso. Overview of air quality issues in the border region, description of air pollution sources, and an analysis of the relationships among air quality, health, energy, and water pollution.

Air Quality Trends in the Border Region. Presenters: Michael Hadrick, EPA/OAR, Office of Program Management Operations; Enrique Rebolledo, Director de Calidad del Aire, SEMARNAT. Air quality trends in sister city pairs and indicators-based considerations.

Border 2012 Emissions Inventory Baseline Report. Presenters: Rich Halvey, Western Governors Association; Leonora Rojas, Instituto Nacional de Ecología. Update on and highlights of completed report.

Air Quality Related Health Assessments in the Border Region: What do they tell us?

Presenters: Dr. Lucas Neas and Dr. Shaibal Mukerjee, EPA.

Health Effects of Border Air Quality; Presenter: Matiana Ramírez Aguilar, Instituto Nacional de Salud Pública.

Please see Appendix #5 for complete Power Point presentations.

ROUNDTABLE DISCUSSION: AIR RELATED PRIORITIES

The purpose of this session was generative: to enable stakeholders to collectively identify on-the-ground priorities for APF attention throughout the border region. The objective here was not to build agreement, but rather to develop a full-spectrum and detailed picture of priorities related to the six issue areas derived from pre-meeting consultations. Issue areas included: mobile sources/fuels; air quality and public health; air quality and its relationship to energy efficiency; emissions trading possibilities; stationary source emissions and cross border planning and implementation of joint (bi-national) projects. In this session, which was moderated by Carlos de la Parra, representatives of local task forces, regional work groups, states, tribes, federal governments and their regional offices identified their priorities. Facilitators recorded responses on flip charts at the head of the room. Information generated in this session on the whole served as the basis for the issue-specific breakouts that followed. *Please see Appendix #3 for a complete list of policy and program options generated under each of these six issue areas.*

BREAKOUT SESSIONS

Concurrent breakout sessions were held to discuss each of the six issue areas to generate more detailed discussion of policy and program areas on which the APF might focus over the next 3-5 years. In addition to identifying activities which would leverage the greatest collective border-wide benefit, participants were asked to consider these questions: What policy and program areas can be grouped together, and under what theme? Which of these options would require federal attention, and which could most effectively be addressed by the Air Policy Forum in the next three to five years?

The results of these breakout sessions represent the first step towards collaboratively defining the policy and program goals of the APF. The goal is to narrow and finalize priorities for the APF over the next several months.

Overviews and initial recommendations are provided below for each of the following issue areas: Stationary Sources, Mobile Sources and Fuels, Cross Border Planning and Implementation, Energy Efficiency and Emissions Trading Possibilities. *Please find detailed recommendations in Appendix #4.*

Note: The following are notes specific to each breakout session and are *initial recommendations* on policies and programs for consideration and action by the Air Policy Forum. *They do not represent final or consensus decisions.* Rather, these are a starting

point. Further discussion among APF partners and stakeholders is envisioned to shape these recommendations into more concrete and actionable recommendations.

Stationary Sources Breakout Session

Overview

Given the variety, number and magnitude of stationary source concerns, participants in this breakout session focused on identifying those efforts which should be implemented bi-nationally and should be initiated at the federal level. The session highlighted the need for better data on stationary sources from highly organized power generation facilities to household wood burning. Impacts still need to be investigated. Data should also be available to all and more actively integrated among the local, state, national and international entities.

Initial Recommendations for the Air Policy Forum

- Establish common formats for monitoring and reporting emissions on both sides of the border.
- Address tires as a fuel source.
- Develop a bi-national statement on importation of used tires.
- Collect and disseminate information/education on wood burning as a fuel source.
- Analyze and highlight differences and opportunities on each side of the border for improving air quality through permitting of stationary sources.
- Provide a separate forum for a high-level discussion about the impacts of agricultural sources of air pollution e.g. crop burning, soil erosion and agricultural sources of air toxics.

Fuels and Mobile Sources Breakout Session

Overview

Participants recognized that recommendations identified during this session would fall under the responsibility of different levels of authority in the United States and Mexico (e.g. federal authority in Mexico verses state authority in the United States.) Additionally, programs and projects should move beyond a focus on in-use sources to develop the right monitoring tools and control policies to address future growth.

Initial Recommendations for the Air Policy Forum

- Improve fuel quality and availability of clean fuels in both countries.
- Develop and implement border crossing emissions control pilot projects.
- Facilitate the harmonization of programs on both sides of the border.
- Build and advocate cross border partnerships and projects.
- Develop in-use diesel emissions control and mitigation programs for mobile sources and non-road diesel engines.
- Establish bi-national vehicle registry to track used vehicle importation into Mexico.

Energy Efficiency Breakout Session

Overview

Because of the border region's remarkable growth rate, energy efficiency must be part of any larger air quality plan for the United States and Mexico. Actions to improve efficiency range from improving automobile fleets, to new sources of fuel for power generation, to greater public awareness of the environmental costs of energy use. The recommendations of this group included requiring greater efficiency from large industrial level users and producers and taking measures to help encourage the use of more energy efficient appliances in households. Renewable energy was also an important part of the discussion as the two policy areas are highly complimentary.

Initial Recommendations for the Air Policy Forum

- Coordinate/advocate for efforts to strengthen regulatory framework regarding energy efficiency to standardize requirements for energy generation plants along the length of the border.
- Foster investments in renewable emissions credits.
- Assist in the early sharing of information on plants and transmission.
- Require increased efficiency as energy production increases.
- Help re-engage discussions on TEIA process including water use and air emissions.
- Explore funding opportunities and economic incentives to promote energy efficiency among both industry and consumers, for example, by providing alternatives to wood burning.

Air Quality and its Relationship to Public Health

Overview

The discussions during the air quality and public health breakout session were dominated by debate about the need, types and use of metrics for air quality and public health.

Emergent themes from this debate included:

- Emphasis on implementing public health and air toxics reduction projects for well known problems rather than developing additional metrics.
- Metrics describing the greatest health impacts of different pollutants and sources are necessary in order to prioritize and implement the most effective air quality and public health projects.
- The importance of metrics that link air quality changes to public health. These metrics are necessary to establish baselines, secure program funds and to measure program efficacy.

Many participants agreed on the need for each type of metric and noted that the goals need not be framed as being mutually exclusive or in competition. In fact, many participants noted that the need and use of all of these metrics is iterative. Though most of this breakout session centered on discussions of metrics, the group was able to identify some priority issues for the APF to consider.

Initial Recommendations for the Air Policy Forum

- Collect, coordinate and disseminate several types of Environmental/Public Health/Air Quality Information (pollutants, exposure levels, options for individual and community actions, real-time data).

- Assist in expediting the availability of low sulfur diesel and oxygenated gasoline in both countries.
- Assist in linking air quality data to intervention strategies.
- Assist in developing monitoring and standards for PM_{2.5} in Mexico.
- Help policy makers identify and focus on air quality reduction programs for pollutants and sources which pose the greatest public health risk.
- Continue to work to include more public health professionals in the APF.
- Coordinate the development of air quality indicators/metrics that:
 - Prioritize/identify pollutants/sources that pose the greatest risk.
 - Assist program evaluation and support (cost benefit analysis).
 - Are based on “real” rather than extrapolated or projected data.

Emissions Trading Possibilities

Overview

There were a number of dominant themes that evolved from this breakout session including:

- Develop and make clear the economic incentives for participating in emissions trading programs.
- Consider airsheds based on physical boundaries rather than political jurisdictions for the sake of emissions trading.
- Clarify and be specific about legal and regulatory barriers to cross border emissions trading programs.
- Develop a framework for cross border emissions trading programs before and in order to assist the development of legislation to remove barriers.
- Outline measures of the environmental and health benefits of emissions trading programs.

Initial Recommendations for the Air Policy Forum

Short Term Recommendations (From now until the next Border Institute meeting in Rio Rico in April 2005)

- Collate and summarize key information from existing documents (SCERP Monograph, ECOFIN, JAC, Environ/R9).
- Identify and invite key players from local, regional, state, tribal and federal levels to Rio Rico. The goal is to invite those who are essential for on-the-ground implementation of emissions trading programs/policies.
- Develop a “Straw Framework” for emissions trading for discussion and review at Rio Rico.
- Work to define airsheds based on physical, topographical and climatological boundaries.

Long Term Recommendations

- Expand the use of cross border Supplemental Environmental Programs (SEPs).
- Utilize APF partners to serve as champions for an initial framework and work with local, state, tribal and federal officials to remove barriers to implementation.
- Engage the private sector in the development of APF policies and programs.

Cross Border Planning and Implementation of Bi-national Projects

Overview

Fifteen flip-chart pages of ideas, concerns and priority projects were identified for the Cross Border Planning and Implementation breakout session. Accordingly, many issues identified for the other sessions were included under this issue area. Participants were reluctant to remove items from consideration for federal action/attention over the next three to five years during the breakout session. Prevailing themes in this conversation included the following:

- It became clear that much of the difficulty in narrowing the list was due to numerous and substantial disparities in infrastructure and resources between the United States and Mexico. Therefore, one role the APF can play is to hold an explicit discussion to inventory, describe and suggest solutions for addressing these disparities.
- In addition, as the APF develops its strategies and priorities for cross border planning and implementation, it will be critical to engage the five other issue areas of mobile sources, stationary sources, energy efficiency, public health and emissions trading.
- Another emergent theme from this session was the importance of capacity building at the local level. Across all issues and suggestions for policies and programs, success will be dependant upon adequate training, buy-in and resources at the local level.

Initial Recommendations for the Air Policy Forum

- Harmonize national monitoring, standards and programs.
- Encourage adoption of unified airshed approach in each regional airshed.
- Encourage and support partnerships and collaborations.

ROUNDTABLE DISCUSSION: BORDER 2012 COORDINATION AND PLANNING

This session was a moderated roundtable discussion about what has worked well, what hasn't worked, and how the processes can be improved. Discussion included public comment.

Key Considerations for the Air Policy Forum

- Some of the most important work that the APF and Border 2012 can do is to help implement local documents such as Tijuana PROAIRE.
- Regional work groups have focused on sister cities. Task Forces need to be able to focus on rural areas. Flexibility is needed for task forces to address the differing rural and urban issues specific to each given region. It took a while to call JAC a task force under the Border 2012 program.
- It is important for the APF to develop information geared specifically for different audiences including policy makers, NGOs and border community residents.
- Harmonization of standards, monitoring, enforcement and information dissemination is of critical importance.

- Environmental/public education is a key concern and the APF should develop specific policy objectives on this issue.
- It is important for the APF to be more proactive in identifying projects for consideration.

Key Considerations for Border 2012

- The development of and information about incentives for participation in air quality improvement and public health programs/policies is critical for addressing disparities in capacity and resources between the two countries.
- Cross-cutting law enforcement is necessary to guarantee compliance. It is important to develop an international alliance to assist and explore enforcement strategies e.g. PROFEPA.
- With regard to the Imperial Valley and Mexicali task force meetings it is important to be patient with the bi-monthly meetings. Someone needs to be in charge of coordinating all of the different players.
- It is important to translate all publications of the APF into both languages and to facilitate broad dissemination.
- It is important for Border 2012 to support and celebrate the work of the regional task forces in order to maintain their level of dedication and momentum.

Expanding Participation in Border 2012 and the APF

- It is important to seek and facilitate broader participation of impacted communities and NGOs in the APF.
- There are many different kinds of resources for air quality improvement programs to be found on both sides of the border. Resources go beyond finances to include creativity and dedication.
- There is a need for closer links between Border 2012 and infrastructure and implementation institutions.
- Pilot projects may be the most successful way to engage business and NGO communities.
- There is a lack of overlap between the work of this forum and other policy forums. Therefore it is important to coordinate efforts between all the Border 2012 border wide coordinating bodies (policy forums, border wide workgroups).

Funding for Border 2012 and its Programs

- Defining externalities and the ‘true’ costs of doing business across the border are essential for developing economic incentives, regulatory frameworks and “polluter pays” programs.
- SEPs, Trusts and Investment Funds that foster “polluter pays” or full-cost-accounting may be the best future option for funding air quality and public health programs.
- A 10-states conference should be convened to address cross-cutting border issues of water, air, public health and planning.
- Clarifying the roles and functions of the tasks forces will assist in finding the appropriate funding sources.

COMMENTS AND SUGGESTIONS SPECIFIC TO THIS MEETING

- The translation/interpretation in this meeting was often difficult to understand or technically inadequate.
- Planning and meeting preparation materials should be available in both languages.
- Environmental/Public Education was a key concern worthy of a specific breakout session.
- Open meetings that invite broad participation aren't as successful. It is too difficult to get to priorities. Regional meetings allow for more detailed work which can then inform federal actions.
- The structure of this meeting was helpful. Although many in this room could generate the same key points, it is critical to build agreement and working relationships.
- Facilitation was useful for this meeting. The meeting agenda was ambitious. As a group we have accomplished in two days what regional work groups have taken months to do.
- This meeting has identified 30-50 years of work. It is important to continue work especially between meetings, to narrow these lists and establish concrete, actionable recommendations.

NEXT STEPS FOR DEFINING AIR POLICY FORUM POLICY AND PROGRAM PRIORITIES*

- The RESOLVE facilitation team will develop a draft meeting summary which will be circulated as a record of the meeting and reviewed by participants for factual accuracy.
- The final meeting summary will be posted on EPA and SEMARNAT Web sites.
- Using the meeting summary as input, the APF will narrow this set of recommendations to focus on actions that require federal authority and which are broader than a single region's focus.
- The APF will continue to engage stakeholders in this process through requests for written comments and further discussions at upcoming meetings.
- The APF hopes to receive initial stakeholder comments prior to the National Coordinators' Meeting and to provide another venue to discuss this process at the NCM.
- SCERP's Border Institute meeting in Rio Rico may provide an opportunity for further dialogue and another check-in on the process.
- A final set of APF priority considerations will derive from this process. It is possible that project level activity will also be identified.

**Decision-Making*

Co-Chairs John Beale and Sergio Sánchez emphasized that there would be a decision making path for the APF policy/program decisions. This meeting was

the first of three opportunities current and future participants would have to generate and refine recommendations to the APF.

PUBLIC COMMENT

- The Pan-American Health Organization has been working on health indicators on the border and this information is accessible online. Possible indicators are identified, including a specific one in Coahuila.
- PROAIRES Tijuana prepared a document that took considerable time and effort. It has specific tasks for each of the sectors that are involved in air quality management. It also illustrates implementation difficulties.
- One success of Border 2012 is effective inclusion of the local level.
- An important next step could be the convening of a 10-states conference where the governors meet to talk about water, energy, air, and take these as resolutions for action. The Western Governor's Association conference on renewables can be used as a model.

PROCESS RECOMMENDATION

Due to time constraints, the group was not able to review the body of recommendations as a whole. In order to best leverage interests and maximize implementation efficiencies, a critical next step will be to jointly examine the set of recommendations and look for prevailing themes, policy/program directions, etc.